

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: HIGUCHI et al.

Application No.: 10/572,404

Filing Date: March 16, 2006

For: DRUG AND FOOD OR DRINK FOR
IMPROVING HYPERGLYCEMIA

Art Unit: 1623

Examiner:

BLAND, LAYLA D

Attorney DOCKET No.:

TOYA108.013APC

DECLARATION UNDER 37 C.F.R. § 1.132

Commissioner for Patents

P.O.Box 1450

Alexandria, VA 22313-1450

Dear Sir:

I declare as follows:

1. I am employee of Morinaga Milk Industry Co., Ltd. located at 33-1, Shiba 5-chome, Minato-ku, Tokyo, Japan, which is engaged in the business of production and sale of milk, and other foods.
2. I am one of co-inventors of the above-identified patent application.
3. I have conducted the experiments described herein and revealed a total dissolved solid in the Aloe vera juice presented in Yongchaiyudha et al.
4. Purpose of the experiments
Weighing a total dissolved solid in the Aloe vera juice presented in Yongchaiyudha et al.

5. Method and result of the experiments

(1) Preparation of samples

The Aloe vera juice was manufactured according to Yongchaiyudha et al.

Specifically, about 120 g of Aloe vera gel was crushed using a electrical blender to obtain about 100 ml of Aloe vera juice.

(2) Method for experiments

100g of the Aloe vera juice (Sample 1) was freeze-dried to remove water, followed by Sample 1 was weighed.

(3) Results

The mass of freeze-dried Sample 1 was about 1.9 g. Therefore, the Aloe vera juice contains about 1.9% by mass of solid content.

6. I further declare that all statements made herein of our own knowledge are true, and that all statements made on information and belief are believed to be true, and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

By: Miyuki Tanaka
Miyuki Tanaka

Date: October 20, 2008